

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

v.

ARISTA NETWORKS, INC.,

Defendant.

Case No. 5:14-cv-05344-BLF (NC)

**VERDICT FORM**

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

**YOUR ANSWERS MUST BE UNANIMOUS**

**Copyright Infringement: User Interfaces**

1. Has Cisco proven that Arista infringed any of Cisco's user interfaces?

Yes	No
(For Cisco)	(For Arista)
<u>X</u>	_____

**IF YOU ANSWERED "YES" TO QUESTION 1, PLEASE ANSWER QUESTION 2.**

**IF YOU ANSWERED "NO" TO QUESTION 1, PLEASE GO TO QUESTION 6.**

2. As to the user interfaces you found to be infringed in Question 1, has Arista proven any of the following?

	Yes	No
	(For Arista)	(For Cisco)
a. Fair use	_____	<u>X</u>
b. Scènes à faire	<u>X</u>	_____
c. Merger	_____	<u>X</u>

**IF YOU ANSWERED "NO" TO EVERY LINE OF QUESTION 2, PLEASE GO TO QUESTIONS 3 AND 4 AND ANSWER BOTH.**

**IF YOU ANSWERED "YES" TO ANY LINE OF QUESTION 2, PLEASE GO TO QUESTION 5.**

3. What amount of lost profits damages is Cisco entitled to recover as a result of Arista's copyright infringement of Cisco's user interfaces, if any?

\$ \_\_\_\_\_

**PLEASE GO TO QUESTION 4.**

4. What amount of Arista's profits is Cisco entitled to recover as a result of Arista's copyright infringement of Cisco's user interfaces, if any?

\$ \_\_\_\_\_

**PLEASE GO TO QUESTION 5.**

5. As to the user interfaces you found to be infringed in Question 1, has Arista proven any of the following?

	Yes (For Arista)	No (For Cisco)
a. Abandonment	_____	<u>X</u>
b. Copyright misuse	_____	<u>X</u>

**PLEASE GO TO QUESTION 6.**

**Copyright Infringement: Technical Manuals**

6. Has Cisco proven that Arista infringed any of Cisco's technical manuals?

Yes	No
(For Cisco)	(For Arista)

_____	<u>X</u>
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PLEASE GO TO QUESTION 7.

**Patent Infringement**

7. Has Cisco proven that Arista directly infringed claims 1 and/or 14 of the '526 patent?

Yes	No
(For Cisco)	(For Arista)

a. Claim 1	_____	<u>X</u>
b. Claim 14	_____	<u>X</u>

PLEASE GO TO QUESTION 8.

8. Has Cisco proven that Arista induced infringement of claims 1 and/or 14 of the '526 patent?

Yes	No
(For Cisco)	(For Arista)

a. Claim 1	_____	<u>X</u>
b. Claim 14	_____	<u>X</u>

PLEASE GO TO QUESTION 9.

9. Has Cisco proven that Arista contributorily infringed claims 1 and/or 14 of the '526 patent?

	Yes (For Cisco)	No (For Arista)
a. Claim 1	_____	<u>X</u>
b. Claim 14	_____	<u>X</u>

IF YOU ANSWERED "YES" TO ANY LINE ON QUESTIONS 7, 8, OR 9, PLEASE ANSWER QUESTIONS 10 AND 11.

IF YOU ANSWERED "NO" TO EVERY LINE OF QUESTIONS 7, 8 AND 9, PLEASE GO TO THE END OF THIS VERDICT FORM AND SIGN AND DATE IT.

10. What amount of damages do you award Cisco for Arista's patent infringement?

\$ \_\_\_\_\_

PLEASE GO TO QUESTION 11.

11. Has Cisco proven that Arista willfully infringed the '526 patent?

Yes	No
_____	_____

PLEASE SIGN AND DATE BELOW.

  
 \_\_\_\_\_  
 Presiding Juror

Date: 12/14/16